

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TRANSPERFECT GLOBAL, INC.;
TRANSPERFECT TRANSLATIONS
INTERNATIONAL, INC.; AND
TRANSLATIONS.COM, INC.,

Plaintiffs/Counterclaim
Defendants,

v.

MOTIONPOINT CORPORATION,

Defendant/Counterclaim
Plaintiff.

No. C 10-2590 CW

ORDER REGARDING
MCDERMOTT WILL &
EMERY LLP AND
MOTIONPOINT
CORPORATION'S
MOTION FOR RELIEF
FROM ORDER
GRANTING
TRANSPERFECT'S
MOTION FOR
DISQUALIFICATION
OF COUNSEL, Docket
No. 204.

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On May 30, 2012, Plaintiffs and Counterclaim Defendants TransPerfect Global, Inc., TransPerfect Translations International, Inc., and Translations.com, Inc., collectively referred to as Transperfect, moved to disqualify Defendant and Counterclaim Plaintiff MotionPoint Corporation's counsel McDermott Will & Emery, LLP. After holding a hearing, on June 20, 2012, Magistrate Judge Spero granted the motion. On July 6, 2012, McDermott and MotionPoint moved for relief from the nondispositive disqualification order. McDermott and MotionPoint have also petitioned for a writ of mandamus from the Federal Circuit.

Transperfect may submit within seven days a brief, not to exceed eight pages, addressing the limited issue of whether a later-acquired client may obtain disqualification of counsel for an earlier-acquired client. The parties have not pointed to any controlling authority on the issue. Judge Spero's order followed

1 Fujitsu Limited v. Belken International, et al., 2010 WL 5387920
2 (N.D. Cal.), rather than Friskit v. RealNetworks, Inc., 2007 WL
3 1994204 (N.D. Cal.). MotionPoint may file a reply, not to exceed
4 four pages, within four days after TransPerfect has responded.

5 IT IS SO ORDERED.

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7 Dated: ~~ÍDĞ€~~DFG


CLAUDIA WILKEN
United States District Judge